

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**OH 11001**

VIOLATOR

**Customer # 36215  
Certificate # 31-A-0285  
Lester D. Miller**

ADDRESS (Street, City, State, Zip Code)

**2645 CR 114  
Baltic, OH 43804**

The Department of Agriculture has evidence that on or about **December 8, 2009 - March 2, 2010 - August 31, 2010 - November 17, 2010 - February 10, 2011 - April 13, 2011 - August 3, 2011 - January 18, 2012** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.126 (b)**

- **Have a responsible adult available to accompany APHIS officials during the inspection process, and a room, table or other facilities for examination of records and inspection of property or animals for use by APHIS officials if necessary.**

**(On November 17, 2010 and January 18, 2012 a responsible person was not available to accompany the inspector on an animal welfare inspection.)**

**2.40 (b)(1)**

- **Establish and maintain adequate veterinary care programs that include availability of appropriate facilities, personnel, equipment, and services.**

**(Expired medications were being maintained: Oxytocin (exp. 4/08), Gentamicin (exp. 12/10), Naxcel (exp. 3/10), Doxycycline (9/10), Promectin (exp. 7/10), Pyrantel (exp. 10/08), Fish-zole (exp. 2/09).**

**2.40 (b)(3)**

- **Establish and maintain programs of adequate veterinary care to include daily observations and frequent communication with the attending veterinarian to convey information on problems of animal health, behavior, and well-being.**

**(Dog tag#035 has greenish tan fluid accumulated in right ear with brownish red debris present and red skin inside the ear.)**

**3.9 (b)**

- **Food receptacles must be used for dogs. Self-feeders may be used for the feeding of dry food. Keep self-feeders clean and sanitized to ensure there is no molding, deterioration, and caking of feed.**

**(\*\*Several self feeders have grime buildup.**

**\*\*Flow control bar inside feeder bent upward causing feed to cake and fill a gap between the metal and the wall.)**

**9 CFR, SECTION**

**Failure to**

**3.11 (a)**

- Remove excreta and food waste from primary enclosures daily, and clean as often as necessary under primary enclosures to prevent excessive accumulation of feces and food waste, prevent soiling of the dogs and cats contained in the primary enclosures, to reduce disease hazards, insects, pests and odors.

(\*\*The first building washdowns have excessive accumulation of stains, mineral deposits and organic material with heavy buildup towards the drainage end.

\*\*The second building washdowns have heavy accumulation of feces, stains, mineral deposits and organic material.

**3.11 (b)(3)(iii)**

- Sanitize primary enclosures and food and water. Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods: Washing all soiled surfaces with appropriate detergent solutions and disinfectants, or by using a combination detergent/disinfectant product that accomplishes the same purpose, with a thorough cleaning of the surfaces to remove organic material, so as to remove all organic material and mineral buildup, and to provide sanitization followed by a clean water rinse.

(\*\*Majority of doggie doors have moderate to heavy accumulation of grime and other organic material.

\*\*Several whelping boxes and big dog enclosure floors have moderate to heavy accumulation of feces, dust, dirt and other organic material buildup.)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title) <b>Elizabeth Goldentyer, DVM</b>		OFFICE ADDRESS: <b>920 Main Campus Dr., Suite 200 Raleigh, NC 27606 TELEPHONE NO. AC (919) 855-7100</b>
Regional Director		
DATE ISSUED <b>5/30/12</b>		DATE RECEIVED:
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)		

FOR CERTIFIED MAIL - RECEIPT NO:  
**7011 1150 0002 0712 1856**